

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application.

Listing of the Claims

1. (Original) An electrosurgical device having a proximal end and a distal end, the device comprising:
 - a handle;
 - a shaft extending from the handle, the shaft having a distal end;
 - a fluid passage being connectable to a fluid source;
 - an electrode tip having an electrode surface, at least a portion of the electrode tip extending distally beyond the distal end of the shaft;
 - the portion of the electrode tip extending distally beyond the distal end of the shaft comprising a cone shaped portion; and
 - at least one fluid outlet opening in fluid communication with the fluid passage.
2. (Currently Amended) The device according to claim 1 wherein:
 - the at least one fluid out opening is arranged to provide a fluid from the fluid source to the ~~cone shaped portion of the~~ electrode tip.
3. (Currently Amended) The device according to claim 1 wherein:
 - at least a portion of the electrode surface ~~forms~~ has a contact angle (θ) with a fluid from the fluid source thereon of less than 90 degrees; ~~and~~
 - ~~whereby the fluid at least partially wets that portion of the electrode surface.~~
4. (Original) The device according to claim 1 wherein:
 - the at least one fluid outlet opening is located at the distal end of the shaft.
5. (Original) The device according to claim 4 wherein:
 - the at least one fluid outlet opening located at the distal end of the shaft is located between a portion of the electrode tip contained within the shaft and the distal end of the shaft.

6. (Original) The device according to claim 1 wherein:
the at least one fluid outlet opening is sheltered by the device from having direct contact with tissue.
7. (Original) The device according to claim 6 wherein:
the at least one fluid outlet opening sheltered by the device from having direct contact with tissue is sheltered by the shaft.
8. (Original) The device according to claim 1 further comprising means to shelter the at least one fluid outlet opening from having direct contact with the tissue.
9. (Original) The device according to claim 8 wherein:
the means to shelter the at least one fluid outlet opening comprises the shaft.
10. (Original) The device according to claim 1 comprising a plurality of fluid outlet openings.
11. (Currently Amended) The device according to claim 10 wherein:
the plurality of fluid outlet openings are arranged to provide the fluid from the fluid source around the ~~cone-shaped portion of the electrode tip~~.
12. (Original) The device according to claim 10 wherein:
the plurality of fluid outlet openings are located at the distal end of the shaft.
13. (Original) The device according to claim 7 wherein:
the plurality of fluid outlet openings comprise four equally spaced openings located at the distal end of the shaft.

14. (Original) The device according to claim 4 further comprising:
at least one recess provided in the electrode tip, the recess providing a fluid flow channel for a flow of the fluid distally along the electrode tip.
15. (Original) The device according to claim 14 comprising a plurality of recesses, each recess providing fluid flow channel for a flow of the fluid distally along the electrode tip.
16. (Original) The device according to claim 14 wherein:
the at least one recess is in fluid communication with the at least one fluid outlet opening.
17. (Original) The device according to claim 14 wherein:
the number of recesses is equal to the number of fluid outlet openings.
18. (Original) An electrosurgical device having a proximal end and a distal end, the device comprising:
a handle;
a shaft extending from the handle, the shaft having a distal end;
a fluid passage being connectable to a fluid source;
an electrode tip having an electrode surface, at least a portion of the electrode tip extending distally beyond the distal end of the shaft;
the portion of the electrode tip extending distally beyond the distal end of the shaft comprising a neck portion and an enlarged end portion, the enlarged end portion located distal to the neck portion and comprising a cone shaped portion; and
at least one fluid outlet opening in fluid communication with the fluid passage.
19. (Currently Amended) The device according to claim 18, wherein:
the at least one fluid outlet opening is arranged to provide a fluid from the fluid source to the ~~cone-shaped portion of the~~ electrode tip.

20. (Currently Amended) The device according to claim 18 wherein:
at least a portion of the electrode surface ~~forms~~has a contact angle (θ) with a fluid from the fluid source thereon of less than 90 degrees;~~and~~
~~whereby the fluid at least partially wets that portion of the electrode surface.~~

21. (Original) An electrosurgical device having a proximal end and a distal end, the device comprising:

- a handle;
- a shaft extending from the handle, the shaft having a distal end;
- a fluid passage being connectable to a fluid source;
- an electrode tip having an electrode surface, at least a portion of the electrode tip extending distally beyond the distal end of the shaft;
- the portion of the electrode tip extending distally beyond the distal end of the shaft comprising a neck portion and an enlarged end portion, the enlarged end portion located distal to the neck portion and comprising a cone shaped portion; and
- at least one fluid outlet opening in fluid communication with the fluid passage, the fluid outlet opening arranged to provide a fluid from the fluid source to the neck portion of the electrode tip.

22. (Currently Amended) The device according to claim 21 wherein:
at least a portion of the electrode surface ~~forms~~has a contact angle (θ) with a fluid from the fluid source thereon of less than 90 degrees;~~and~~
~~whereby the fluid at least partially wets that portion of the electrode surface.~~

23. (Original) An electrosurgical device having a proximal end and a distal end, the device comprising:

- a handle;
- a shaft extending from the handle, the shaft having a distal end;
- a fluid passage being connectable to a fluid source;
- an electrode tip having an electrode surface, at least a portion of the electrode tip extending distally beyond the distal end of the shaft;

the portion of the electrode tip extending distally beyond the distal end of the shaft comprising a neck portion and an enlarged end portion, the enlarged end portion located distal to the neck portion and comprising a cone shaped portion; and

at least one fluid outlet opening in fluid communication with the fluid passage, the fluid outlet opening arranged to provide a fluid from the fluid source towards the enlarged end portion of the electrode tip.

24. (Currently Amended) The device according to claim 23 wherein:

at least a portion of the electrode surface ~~forms~~ has a contact angle (θ) with a fluid from the fluid source thereon of less than 90 degrees; ~~and~~

~~whereby the fluid at least partially wets that portion of the electrode surface.~~

25. (Currently Amended) An electrosurgical device comprising:

a handle;

a fluid passage being connectable to a fluid source;

an electrode tip having an electrode surface, and comprising a cone shaped portion; and

at least one fluid outlet opening in fluid communication with the fluid passage, the fluid outlet opening arranged to provide a fluid from the fluid source to the ~~cone-shaped portion of the~~ electrode tip.

26. (Currently Amended) The device according to claim 25 wherein:

at least a portion of the electrode surface ~~forms~~ has a contact angle (θ) with a fluid from the fluid source thereon of less than 90 degrees; ~~and~~

~~whereby the fluid at least partially wets that portion of the electrode surface.~~

27. (Original) A surgical method for treating tissue comprising:

providing tissue having a tissue surface;

providing radio frequency power at a power level;

providing an electrically conductive fluid at a fluid flow rate;

providing an surgical device configured to simultaneously provide the radio frequency electrical power and the electrically conductive fluid to tissue, the device comprising an

electrode tip having an electrode surface, the electrode tip comprising a cone shaped portion and a distal end;

providing the electrically conductive fluid to the tissue at the tissue surface;

forming a fluid coupling comprising the electrically conductive fluid which couples the tissue and the surgical device;

providing the radio frequency power to the tissue at the tissue surface and below the tissue surface into the tissue through the fluid coupling;

coagulating the tissue with the cone shaped portion without cutting the tissue; and

dissecting the tissue with the distal end after coagulating the tissue.

28.-39. (Cancelled)

40. (New) The device of claim 1 wherein:

the electrode tip further comprises a distal end, and

the distal end of the electrode tip is blunt.

41. (New) The device of claim 40 wherein:

the cone shaped portion of the electrode tip is located adjacent to the blunt distal end of the electrode tip.

42. (New) The device of claim 1 wherein:

the electrode tip further comprises a distal end, and

the distal end of the electrode tip is spherical.

43. (New) The device of claim 42 wherein:

the cone shaped portion of the electrode tip is located adjacent to the spherical distal end of the electrode tip.

44. (New) The device of claim 42 wherein:

the spherical distal end of the electrode tip comprises a hemisphere of about 180 degrees.

45. (New) The device of claim 1 wherein:
the cone shaped portion further comprises a concentric cone shaped portion.
46. (New) The device of claim 1 wherein:
the cone shaped portion further comprises an eccentric cone shaped portion.